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UTILITY  
PATENT APPLICATION  
TRANSMITTAL

Attorney Docket No. 443754/10

First Inventor Dan A. Preston

Title IMPROVED IN-BAND SIGNALING FOR DATA COMMUNICATIONS

Express Mail Label No. EL871858805US

(Only for new nonprovisional applications under 37 CFR 1.53(b))

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original and a duplicate for fee processing)
2. ☒ Applicant claims small entity status.  
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 23]  
(preferred arrangement set forth below)  
- Descriptive title of the invention  
- Cross Reference to Related Applications  
- Statement Regarding Fed sponsored R & D  
- Reference to sequence listing, a table, or a computer program listing appendix  
- Background of the Invention  
- Brief Summary of the Invention  
- Brief Description of the Drawings (if filed)  
- Detailed Description  
- Claim(s)  
- Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 14]
5. Oath or Declaration [Total Pages 10]  
a. ☐ Newly executed (original or copy)  
b. ☒ From a prior application (37 CFR 1.63 (d))  
(for continuation/divisional with Box 18 completed)  
i. ☐ **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76

ADDRESS TO: Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)  
a. ☐ Computer Readable Form (CRF)  
b. Specification Sequence Listing on:  
i. ☐ CD-ROM or CD-R (2 copies); or  
ii. ☐ paper  
c. ☐ Statements verifying identity of above copies

## ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☒ 37 CFR 3.73(b) Statement (when there is an assignee) ☒ Power of Attorney
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS) PTO-1449 ☐ Copies of IDS Citations
13. ☒ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. ☐ Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. ☐ Other:

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☒ Divisional ☐ Continuation-in-part (CIP)

of prior application No. 09, 531,367

Prior application information.

Examiner

Under Mehra

Group Art Unit: 2663

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

## 19. CORRESPONDENCE ADDRESS

☒ Customer Number or Bar Code Label3528  
(Insert Customer No. or Attach bar code label here)or ☐ Correspondence address below

Name	Micah D. Stolzowicz				
Address	Stoel Rives LLP				
	900 SW Fifth, Suite 2600				
City	Portland	State	Oregon	Zip Code	97204
Country	U.S.A.	Telephone	(503) 224-3380	Fax	(503) 220-2480

Name (Print/Type)	Micah D. Stolzowicz	Registration No. (Attorney/Agent)	32,758
Signature	<i>Micah D. Stolzowicz</i>	Date	03/06/2002

Burden Hour Statement. This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

# FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision

## Complete if Known

Application Number	
Filing Date	
First Named Inventor	Dan A. Preston
Examiner Name	
Group Art Unit	
Attorney Docket No.	44375/4-10

TOTAL AMOUNT OF PAYMENT (\$)

370.00

## METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number: 19-4455

Deposit Account Name: Steel Rives LLP

☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

☒ Applicant claims small entity status. See 37 CFR 1.27

2. ☒ Payment Enclosed:

☒ Check ☐ Credit card ☐ Money Order ☐ Other

## FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity	Fee	Fee	Fee	Fee	Fee Description	Fee Paid
Code (\$)	Code (\$)						
101	740	201	370			Utility filing fee	370
106	330	206	165			Design filing fee	
107	490	207	245			Plant filing fee	
108	710	208	355			Reissue filing fee	
114	160	214	80			Provisional filing fee	
SUBTOTAL (1) (\$)							370.00

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
11	-20** =	0	0
Independent Claims	1	-3** =	0
Multiple Dependent			

Large Entity	Small Entity	Fee	Fee	Fee	Fee	Fee Description	Fee Paid
Code (\$)	Code (\$)						
103	18	203	9			Claims in excess of 20	
102	84	202	42			Independent claims in excess of 3	
104	270	204	135			Multiple dependent claim, if not paid	
109	80	209	40			** Reissue independent claims over original patent	
110	18	210	9			** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2) (\$)							-0-

\*\*or number previously paid, if greater. For Reissues, see above

## FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity	Small Entity	Fee	Fee	Fee	Fee	Fee Description	Fee Paid
Code (\$)	Code (\$)						
105	130	205	65			Surcharge - late filing fee or oath	
127	50	227	25			Surcharge - late provisional filing fee or cover sheet	
139	130	139	130			Non-English specification	
147	2,520	147	2,520			For filing a request for ex parte reexamination	
112	920*	112	920*			Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*			Requesting publication of SIR after Examiner action	
115	110	215	55			Extension for reply within first month	
116	390	216	195			Extension for reply within second month	
117	890	217	445			Extension for reply within third month	
118	1,330	218	695			Extension for reply within fourth month	
128	1,890	228	945			Extension for reply within fifth month	
119	310	219	155			Notice of Appeal	
120	310	220	155			Filing a brief in support of an appeal	
121	270	221	135			Request for oral hearing	
138	1,510	138	1,510			Petition to institute a public use proceeding	
140	110	240	55			Petition to revive - unavoidable	
141	1,240	241	620			Petition to revive - unintentional	
142	1,240	242	620			Utility issue fee (or reissue)	
143	440	243	220			Design issue fee	
144	600	244	300			Plant issue fee	
122	130	122	130			Petitions to the Commissioner	
123	50	123	50			Petitions related to provisional applications	
126	240	126	240			Submission of Information Disclosure Sheet	
581	40	581	40			Recording each patent assignment per property (times number of properties)	
146	710	246	355			Filing a submission after final rejection (37 CFR § 1.129(a))	
149	710	249	355			For each additional invention to be examined (37 CFR § 1.129(b))	
179	710	279	355			Request for Continued Examination (RCE)	
169	900	169	900			Request for expedited examination of a design application	
Other fee (specify) _____							
* Reduced by Basic Filing Fee Paid							
SUBTOTAL (3) (\$)							

## SUBMITTED BY

Name (Print/Type)	Micah D. Stolorowicz	Registration No. (Attorney/Agent)	32,758	Telephone	(503) 224-3380
Signature	<i>Micah D. Stolorowicz</i>	Date	March 6, 2002		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Application No.:

Filed:

Inventors: Dan A. Preston, Joseph Preston,  
Robert Leyendecker, Wayne Eatherly  
and Rod L. Proctor  
Title: IMPROVED IN-BAND SIGNALING FOR  
DATA COMMUNICATIONS OVER DIGITAL  
WIRELESS TELECOMMUNICATIONS NETWORKS

Docket No.: 44375/4:10

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**CERTIFICATE OF EXPRESS MAILING**

"Express Mail" mailing  
label number EL871858805US

Date of Deposit: March 6, 2002

I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING  
DEPOSITED WITH THE UNITED STATES POSTAL SERVICE  
"EXPRESS MAIL POST OFFICE TO ADDRESSEE" SERVICE  
ON THE DATE INDICATED ABOVE AND IS ADDRESSED TO  
THE COMMISSIONER FOR PATENTS, WASHINGTON, D.C.  
20231

  
\_\_\_\_\_  
Signature

\_\_\_\_\_  
Kitty Sisk

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Attachments:

*For Divisional Patent Application:*

- [✓] Preliminary Amendment
- [✓] Patent Application, including 23 pages of specification and claims  
(copied from prior parent patent application)
- [✓] Fourteen sheets of drawings
- [✓] Utility Patent Application Transmittal
- [✓] Combined Declaration and Power of Attorney (two counterparts; copied  
from prior parent application)
- [✓] Statement Under 37 CFR 3.73(b) (copied from prior parent application)
- [✓] Power of Attorney by Assignee (copied from prior parent application)
- [✓] Fee Transmittal (in duplicate)
- [✓] Check for \$370.00 in payment of the filing fee
- [✓] Return receipt postcard

Statement Under 37 CFR 3.73(b)

Inventors: Dan A. Preston, Joseph Preston, Robert Leyendecker,  
Wayne Eatherly and Rod L. Proctor

Application No.: 09/531,367

Filed: March 21, 2000

Title: IN-BAND SIGNALING FOR DATA COMMUNICATIONS  
OVER DIGITAL WIRELESS TELECOMMUNICATIONS NETWORKS

Airbiquity Inc. (formerly, Integrated Data Communications, Inc.), a Washington corporation, states that it is the assignee of the entire right, title, and interest in the patent application identified above by virtue of either:

A. ☐ An assignment from the inventor(s) of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

B. ☒ A chain of title from the inventors, of the patent application identified above, to the current assignee as shown below:

1. From the inventors to Integrated Data Communications, Inc. The document was recorded in the U.S. Patent and Trademark Office at Reel 011037, Frame 0496.
2. From Integrated Data Communications, Inc. to Airbiquity Inc. via change of name Conveyance Letter. The document was recorded in the U.S. Patent and Trademark Office at Reel 011575, Frame 0733.

☐ Copies of assignments or other documents in the chain of title are attached.

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Name: Thomas W. Davis

Title: Corporate Counsel

Signature: 

Date: February 6, 2002

COPY